

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE *EX PARTE* APPLICATION OF  
DENISE DERANI AND GISELE DERANI

*Petitioners,*

For an Order Pursuant to 28 U.S.C. § 1782 to Take  
Discovery for use in Foreign Proceedings in the  
Federative Republic of Brazil.

**Case No. 1:23-mc-00164**

~~[PROPOSED]~~ ORDER  
AUTHORIZING DISCOVERY

Upon consideration of the Application And Petition For An *Ex Parte* Order To Conduct Discovery For Use In Foreign Proceedings Pursuant To 28 U.S.C. § 1782 (the “Application”), submitted by Petitioners Denise Derani and Gisele Derani and all papers submitted in support thereof, this Court finds that (1) the statutory requirements of 28 U.S.C. § 1782 are satisfied, and (2) the factors identified by the United States Court in *Intel Corp. v. Advanced Micro Devices, Inc.*, 542 U.S. 241 (2004), weigh in favor of granting the Application.

It is therefore ORDERED that

- (a) The Application is granted;
- (b) Petitioners are authorized to serve the subpoenas annexed as Exhibits B to the Memorandum of Law in Support of the Application (Dkt. 8-6) upon Citibank, N.A., Santander Bank, N.A., Santander Investment Securities Inc. of New York, JPMorgan Chase & Co., Credit Suisse, Inc., Safra National Bank of New York, Banco do Brazil Securities LLC, The Clearing House Payments Company LLC and The New York Federal Bank of New York (“Respondents”); and


(c) Petitioner are authorized to use any evidence obtained pursuant to the Subpoenas in any additional proceeding arising out of the same facts or transactions underlying Petitioners' Application; and

(d) Respondents are directed to respond to such subpoenas pursuant to the Federal Rules of Civil Procedure and the Local Civil Rules of this Court.

IT IS FURTHER ORDERED that the foregoing is without prejudice to the rights of Respondents to file motions to vacate or quash. To the extent Respondents opt to file motions to vacate or quash, Respondents' motions are due not later than **June 16, 2023**; Petitioners' response in opposition is due not later than **July 14, 2023**; and Respondents may reply not later than **July 28, 2023**, without prejudice to the parties agreeing to a different briefing schedule.

**SO ORDERED.**

Dated: 05/17/2023

  
UNITED STATES DISTRICT JUDGE